

REMARKS

Upon entry of this Preliminary Amendment, claims 1, 2, 5, 6-8, 11-14, and 17-24 remain pending in the present application. Claims 1, 7, and 13 have been amended herein. Canceled claims 4, 10, and 16 have been reinstated as claims 19, 20, and 21, respectively. Also, claims 3, 9, and 15 have been canceled, and claims 22-24 have been added. Applicant requests consideration of the pending claims in view of the following remarks.

As an initial matter, Applicant notes that the mailing date of the Advisory Action was January 24, 2003. Since January 24, 2003 is later than the 3 month due date of January 4, 2003 of the Final Office Action mailed on October 4, 2002, then January 24, 2003 is used for purposes of calculating extensions of time given that a response to the Final Office Action was filed on December 3, 2002 within two months of the mailing date of the Office Action. Accordingly, a petition for a single months extension accompanies the filing of the Continued Prosecution Application with which this Preliminary Amendment was filed that extends the due date to February 24, 2003. Thus, Applicant asserts that the CPA and this Preliminary Amendment are timely filed.

If it is deemed that further extensions of time are necessary to consider the filing of this CPA with a Preliminary Amendment to be timely filed, Applicant hereby petitions for such extensions of time as set forth in the introductory paragraph of this Preliminary Amendment. However, if possible, Applicant respectfully requests that the Examiner contact the undersigned counsel before charging for any additional extensions of time if such is deemed necessary.

In item 8 of the Final Office Action of October 4, 2002, claims 1-2, 5-8, 11-14, and 17-18 have been rejected under 35 U.S.C. §102(e) as being anticipated by US Patent 5,999,664 issued to Mahoney et al. ("Mahoney"). It is axiomatic that anticipation under §102 "requires the disclosure in a single prior art reference of each element of the claim under construction." WL Gore and Associates, Inc. v. Garlock, Inc., 220 USPQ 303, 313 (Fed. Cir. 1983). Applicant respectfully asserts that Mahoney fails to teach all the limitations of claim 1 as amended herein.

Specifically, claim 1 recites

"a processing pipeline identifier configured to identify a processing pipeline to process each of the regions comprising one of the predefined data types selected in the selection interface, the processing pipeline identifier identifying the processing pipeline to process each of the

regions based upon the predefined data type of each of the regions, respectively, and based upon a predetermined destination application.”

Applicant asserts that at least this limitation is not shown or suggested in Mahoney. Additionally, claims 7 and 13 as amended recite limitations similar in scope to claim 1. Accordingly, Applicant respectfully requests that the rejection of claims 1, 7 and 13 be withdrawn. Also, Applicant respectfully requests that the rejection of claims 2, 5, 6, 8, 11, 12, 14, and 17-18 be withdrawn as depending from claims 1, 7, or 13.

In addition, in item 10 of the Office Action, claims 3, 9, and 15 have been rejected under 35 USC §103(a) as being unpatentable over Mahoney in view of US patent 5,995,996 issued to Venable (“Venable”). It has long been accepted that prima facie case of obviousness established only when the teachings from the prior art itself appear to have shown or suggested the claimed subject matter to a person of ordinary skill in the art. In re Rijckaert, 9 F.3d 1531, 28 USPQ2d 1955, 1956 (Fed. Cir. 1993). Claims 3, 9, and 15 have been canceled herein rendering this grounds for rejection moot.

In addition, claims 1, 7, and 13 have been amended to include the limitations discussed above. To the extent that the added limitations to claims 3, 9, and 15 are similar with those of claims 3, 9, and 15 now canceled, Applicant asserts that Venable fails to show or suggest identifying a processing pipeline to process each of the regions comprising one of the predefined data types selected in the selection interface. In addition, Venable fails to show or suggest identifying the processing pipeline to process each of the regions based upon the predefined data type of each of the regions, respectively, and based upon a predetermined destination application as claimed.

Rather, Venable generally discusses “pipelined data processing” that “emulates multi-tasking pipelined data processing in a single tasking environment”. Accordingly, Applicant respectfully requests favorable action with respect to claims 1, 7, and 13.

In addition, claims 19-21 have been added, thereby reinstating claims 4, 10, and 16. Also, claims 22-24 have been added to further claim the present invention. Favorable action is requested with respect to claims 19-24 accordingly.

CONCLUSION

Applicant respectfully requests that all outstanding objections and rejections be withdrawn and that this application and all presently pending claims be allowed to issue. If the Examiner has any questions or comments regarding the present response, the Examiner is encouraged to telephone Applicant's undersigned counsel.

Respectfully submitted,



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